

Remarks

Claims 1-20 are pending in the application. Claims 1-8 and 17-20 were rejected and claims 9-16 were withdrawn. By this amendment claims 1 and 17 have been amended. Reconsideration of the claims is respectfully requested. No new matter has been added.

Rejection Under 35 U.S.C. § 102

Claims 1, 2, 4, 5, 17 and 19 were rejected under § 102(b) as being anticipated by U.S. Patent No. 6,116,616 issued to Bratten (hereinafter “Bratten ‘616”). Independent claims 1 and 17 and their respective dependent claims are discussed separately below.

Applicants have amended claim 1 to recite a machining system comprising “a housing defining at least a portion of the machining envelope; a hopper having a top surface defining an opening; and a seal extending from the top surface to the housing such that the seal does not extend into the opening and such that the seal encompasses the opening; wherein the hopper is configured to receive particulates when positioned below the machining envelope.” Bratten ‘616 does not disclose a machining system as claimed. Instead, Bratten ‘616 discloses “a pair of elongated inflatable hose seals 24, which each extend along the top of a respective side of the collection trough 22” (see column 2, lines 44-46). In other words, Bratten ‘616 discloses two seals that extend along opposite sides of collection trough 22. As such, these seals do not encompass (defined as “to go completely around” in accordance with *Webster’s Ninth New Collegiate Dictionary*) a hopper opening as claimed. Consequently, the rejection of claim 1 is believed to be overcome. Since claims 2, 4 and 5 depend on claim 1, the rejection of these claims is believed to be overcome for the same reasons.

Applicants have amended claim 17 to recite a machining system comprising a housing and “a chip hopper adapted to be inserted through the access port into the lower portion, the chip hopper including: a top surface defining a second aperture; and a seal disposed on the top surface such that the seal extends completely around and is spaced apart from the second aperture.” Bratten ‘616 does not disclose a machining system as claimed.

Instead, Bratten '616 discloses "a pair of elongated inflatable hose seals 24, which each extend along the top of a respective side of the collection trough 22" (see column 2, lines 44-46). In other words, Bratten '616 discloses two seals that extend along opposite sides of collection trough 22 that do not extend completely around a second aperture as claimed. Consequently, the rejection of claim 17 is believed to be overcome. Since claim 18 depends on claim 17, the rejection of this claim is believed to be overcome for the same reasons.

Rejection Under 35 U.S.C. § 103

Claim 18 was rejected under § 103(a) as being unpatentable over Bratten '616. Claim 18 depends on claim 17. Consequently, this claim is believed to be allowable for the reasons previously discussed.

Claims 3 and 20 were rejected under § 103(a) as being unpatentable over Bratten '616 in view of U.S. Patent No. 6,569,217 issued to DeMarco (hereinafter "DeMarco '217"). Claims 3 and 20 depend on claims 1 and 17, respectively. Consequently, these claims are believed to be allowable for the reasons previously discussed.

Claim 6 was rejected under § 103(a) as being unpatentable over Bratten '616 in view of U.S. Patent No. 6,112,504 issued to McGregor (hereinafter "McGregor '504"). Claim 6 depends on claim 1. Consequently, this claim is believed to be allowable for the reasons previously discussed.

Claims 7 and 8 were rejected under § 103(a) as being unpatentable over Bratten '616 in view of McGregor '504 and further in view of DeMarco '217. Claims 7 and 8 depend on claim 1. Consequently, these claims are believed to be allowable for the reasons previously discussed.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,
JAMES ANDERSON et al.

By /Matthew M. Mietzel/
Matthew Mietzel
Reg. No. 46,929
Attorney for Applicant

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BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351